

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTINA WIND, et al.,

Plaintiffs,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

Case No. 1:25-cv-00266-JLT-HBK (PC)

ORDER DENYING DEFENDANTS'
MOTION TO STAY CASE PENDING
CDCR'S ADMINISTRATIVE REVIEW
PROCESS AND GRANTING DEFENDANTS'
ALTERNATIVE REQUEST TO EXTEND
TIME TO RESPOND TO PLAINTIFFS'
FIRST AMENDED COMPLAINT

(Doc. No. 26)

Pending before the Court is Defendants' motion to stay this case pending completion of the California Department of Corrections and Rehabilitation ("CDCR") internal administrative review and disciplinary processes. (Doc. No. 26). Plaintiffs oppose the stay. (Doc. No. 27). For the reasons explained more fully below, the undersigned denies Defendants' request to stay the proceedings at this early stage of the proceedings but grants Defendants' alternative request for an extension of time to respond to the first amended complaint ("FAC").

I. BACKGROUND

Plaintiffs, all inmates at the Central California Women's Facility ("CCWF"), initiated this action by filing a complaint on March 3, 2025, raising various claims against Defendants for alleged acts occurring on August 2, 2024 at CCWF. (Doc. No. 1). Summonses were returned executed on or about March 5, 2025. (Doc. Nos. 5-13). After Defendants were served, the

1 parties stipulated to extend Defendants' deadline to respond to the complaint; allow Plaintiffs to
2 file an amended complaint; and extend Plaintiffs' time to file their FAC. (*See* Doc. Nos. 14, 16,
3 19, 22). The most recent stipulation indicated that "CDCR completed its investigation of the
4 August 2, 2024, incident as of about June 20, 2025," but defense counsel believed "pertinent
5 material necessary to fully assess Plaintiffs' claims and to respond to the allegations and claims
6 will not be available to them for approximately sixty days." (Doc. No. 22 at 2). Plaintiffs filed
7 their FAC on July 23, 2025. (Doc. No. 24).

8 On August 22, 2025, the agreed deadline for Defendants to respond to the FAC (*see* Doc.
9 Nos. 22, 23), Defendants filed the instant motion seeking to stay "this case until December 15,
10 2025, to allow for completion of CDCR's internal administrative review and disciplinary
11 processes." (Doc. No. 26 at 2). Defendants argue "a stay is warranted to protect the integrity of
12 CDCR's on-going investigatory and discipline review process, prevent hardship to Defendants,
13 and to ensure the orderly course of justice in this proceeding." (*Id.* at 6). Alternatively,
14 "Defendants request an extension of time to respond to the Complaint until thirty days after the
15 Court's order denying the motion." (*Id.* at 2).

16 Plaintiffs filed their opposition on September 4, 2025. (Doc. No. 27). Plaintiffs argue
17 they would be prejudiced by a stay because they need to identify the Doe defendants and add
18 them to this action; they need to obtain and review their own medical records and seek expert
19 witnesses; and there is a risk of evidence being lost, witnesses' memories fading, and prison
20 guards potentially resigning or otherwise being unable to be located. (*Id.* at 5). Additionally,
21 Plaintiffs argue Defendants will not suffer a hardship if a stay is denied because they fail "to
22 explain how the filing of answers, proceeding with an Initial Scheduling Conference ..., and the
23 opening of discovery would affect the integrity of their ongoing investigation and disciplinary
24 process" and also fail to explain "why they cannot evaluate and respond to allegations in a FAC
25 with access to every named defendant and the ability to contact their clients for more
26 information." (*Id.* at 6). Finally, Plaintiffs argue Defendants have "failed to present any evidence
27 as to how its investigation will simplify any issue before this Court relating to Plaintiff's FAC."
28 (*Id.* at 7). Plaintiffs do not oppose Defendants' alternative request for an extension of time to

1 respond to the FAC. (*Id.* at 8).

2 Defendants filed a reply on September 15, 2025. (Doc. No. 30). Defendants argue
3 Plaintiffs failed to present any evidence to support their assertion of irreparable harm and “[t]heir
4 general and unspecified concerns about lost physical evidence, witnesses’ memories fading,
5 witnesses retiring or moving or dying, identification of possible Doe Defendants, and obtaining
6 Plaintiffs’ medical records are theoretical.” (*Id.* at 3). Defendants argue they have established a
7 clear case of hardship because requiring them “to proceed with the case at this time will force
8 them to attempt to defend against the serious accusations of Plaintiffs without the benefit of
9 documentation and camera footage that the parties know exist” and “Defendants’ counsel cannot
10 properly evaluate the allegations or even investigate the accuracy of Plaintiffs’ claims until they
11 have the materials that are a part of CDCR’s current, on-going investigative and disciplinary
12 process.” (*Id.* at 5). Finally, Defendants renew their argument that scheduling the case now
13 would “likely result in multiple scheduling orders, requests to change the case-scheduling, and
14 potentially avoidable discovery disputes.” (*Id.* at 6).

15 II. ANALYSIS

16 A federal court enjoys “broad discretion to stay proceedings as an incident to its power to
17 control its own docket.” *Clinton v. Jones*, 520 U.S. 681, 706 (1997). The “party requesting a stay
18 bears the burden of showing that the circumstances justify an exercise of that discretion.” *Nken v.*
19 *Holder*, 556 U.S. 418, 433-34 (2009). The Ninth Circuit has identified “three non-exclusive
20 factors” courts should consider when deciding whether a “docket management” stay is warranted:
21 “(1) the possible damage which may result from the granting of a stay; (2) the hardship or
22 inequity which a party may suffer in being required to go forward; and (3) the orderly course of
23 justice measured in terms of the simplifying or complicating of issues, proof, and questions of
24 law.” *Ernest Bock, LLC v. Steelman*, 76 F.4th 827, 843 (9th Cir. 2023) (internal quotation marks
25 omitted). Consideration of the third factor, referred to as “judicial efficiency,” “standing alone is
26 not necessarily a sufficient ground to stay proceedings.” *In re PG&E Corp. Sec. Litig.*, 100 F.4th
27 1076, 1085 (9th Cir. 2024). Courts have recognized that civil plaintiffs have an interest in
28 having their cases resolved quickly. *See S.E.C. v. Loomis*, No. 2:10-cv-00458-KJM-KJN, 2013

1 WL 4543939, at *2 (E.D.Cal. Aug. 27, 2013); *see also* Fed. R. Civ. P. 1 (mandating the “just,
2 speedy, and inexpensive determination” of each action).

3 Having considered the parties’ arguments, the undersigned concludes the relevant factors
4 weigh against staying proceedings in this action. First, as Plaintiffs argue, they will likely suffer
5 damage if a stay is granted. While the risk of fading memories and lost evidence usually
6 accompanies a stay, Plaintiffs here face the additional possibility that if they are not able to
7 identify the Doe Defendants promptly because of a stay, they may struggle to locate these
8 Defendants or obtain their testimony once the stay is lifted. Further, because Plaintiffs are
9 inmates under the control of CDCR, a stay would likely prevent them from obtaining even their
10 own medical records.

11 Second, Defendants have not shown that they will suffer a hardship if they are required to
12 proceed with discovery. Defendants argue they will be prejudiced because they “cannot properly
13 evaluate and respond to these claims without the documents, video, and other materials currently
14 being held as confidential and not for release as part of its investigation.” (Doc. No. 26 at 6).
15 However, as Plaintiff argues, Federal Rule of Civil Procedure 8(b)(5) specifically allows a party
16 to deny an allegation based on a lack of knowledge or information sufficient to form a belief
17 about the truth of the allegation. Similarly, the civil rules require parties to supplement and/or
18 amend discovery if additional information later becomes available. *See* Fed. R. Civ. P.
19 26(e)(1)(A) (requiring supplementation or correction of disclosures if the disclosure or response
20 was incomplete or incorrect, and the corrective information has not otherwise been made known).
21 While Defendants assert CDCR “cannot release video, documents, interviews, and other
22 investigatory material until the disciplinary process is complete” in order “[t]o preserve the
23 integrity of the evaluative and disciplinary process” (Doc. No. 26 at 6), they fail to explain—and
24 the Court does not ascertain—why disclosure of this information to CDCR’s *own counsel* for
25 initial review would compromise the investigation. Defendants do not suggest that their internal
26 investigation might lead to parallel criminal proceedings that might implicate Defendants’ Fifth
27 Amendment rights. *See e.g. Commodity Futures Trading Comm’n v. Fin. Tree*, No. 2:20-CV-
28 01184-TLN-AC, 2020 WL 6286329, at *3 (E.D. Cal. Oct. 27, 2020) (granting stay due to parallel

1 criminal proceedings).

2 Moreover, Defendants do they present any argument that a specific statute or regulation
3 requires CDCR to withhold information from their counsel and opposing parties in litigation until
4 an internal investigation is complete. Further, even accepting Defendants' position, the
5 undersigned finds persuasive Plaintiffs' assertion that there are "things the parties could be doing
6 to move the case forward" that would not necessarily impact CDCR's investigation, "including
7 obtaining all of Plaintiffs CDCR medical and psychiatric counseling records, serving subpoenas
8 for all of Plaintiffs' medical treatment records at outside facilities, providing medical records to
9 expert witnesses for review and engaging in discovery on basic issues like CDCR policies and
10 training." (Doc. No. 27 at 3-4).

11 Finally, Defendants have not shown that a stay would simplify any of the issues before the
12 Court. Defendants assert that at this time they "cannot develop a meaningful case schedule,
13 including a discovery and motions schedule, requiring the Court to either continuously postpone
14 scheduling or, to engage in multiple modifications of any case schedule, or extend deadlines for
15 discovery, discovery responses, and responses to pleadings." (Doc. No. 26 at 7). However, as
16 discussed above, continuing to delay the initial scheduling will prejudice Plaintiffs and the Court
17 can address any extension or modification requests that may arise at the appropriate time. While
18 the case is in its early stages, the parties' representations so far—including that the August 2,
19 2024 incident involved approximately 159 inmates and 70 guards and there are approximately
20 one-thousand exhibits related to the investigation, including video and body camera footage—
21 indicate that discovery will likely be a lengthy endeavor that will require the parties and the Court
22 to pivot as issues arise.¹ Ultimately, potential difficulties in scheduling the case now do not
23 justify delaying Defendants response to the operative complaint or the start of discovery entirely.
24 This is especially true given Defendants' inconsistent representations concerning when the CDCR
25 investigation will conclude. (*Compare* Doc. No. 22 at 2 (representing that "CDCR completed its
26 investigation ... as of about June 20, 2025") *with* Doc. No. 26 at 5 (asserting the investigation "is

27
28 ¹ To the extent the parties are unable to agree on an initial schedule, the undersigned will work with the parties to
address any issues at the initial scheduling conference scheduled on October 30, 2025. (*See* Doc. No. 28).

1 expected to be completed in about 120 days”); *but see* Doc. No. 26-1 at 2 (indicating “it will be
2 *more* than 120 days until the disciplinary process is complete”) (emphasis added)).

3 Accordingly, it is **ORDERED**:

- 4 1. Defendant’s motion to stay proceedings (Doc. No. 26) is DENIED with respect to
5 Defendants’ request for a stay and GRANTED as to the alternative, unopposed request
6 for an extension to respond to Plaintiff’s complaint.
7 2. Defendants’ deadline to respond to the First Amended Complaint is October 23, 2025.

8
9 Dated: September 22, 2025


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE